

**PUBLIC HEARING MINUTES FOR THE AMENDMENT TO LAND USE  
BYLAW 99-600, RESIDENTIAL SALES CENTRE (BYLAW 008-10)  
FOR THE TOWN OF CHESTERMERE  
HELD MONDAY, JUNE 21, 2010 AT 7:00 PM IN  
COUNCIL CHAMBERS AT THE MUNICIPAL OFFICE**

**PRESENT:** Mayor Patricia Matthews  
Deputy Mayor Kelsey Johnson  
Councillor Stu Hutchison  
Councillor Christopher Steeves  
Councillor Patrick Bergen  
Councillor Heather Davies  
Councillor Tim Reid

**ALSO PRESENT:** Terry Hurlbut, CAO  
Ray MacIntosh, Director of Finance  
Donna McCallum, Assistant Director of Public Works  
Tracy Anderson, Director of Administrative & Legislative Services  
John Popoff, Director of Planning & Development  
Tammy Botsford, Recording Secretary

**GALLERY:** 5 people  
2 media

**A. CALL TO ORDER**

Mayor Matthews called the meeting to order at 7:04 PM and provided an overview of Public Hearing procedures.

**B. ADOPTION OF AGENDA**

**11.010.017**  
**243-10** Moved by Mayor Matthews that the agenda be adopted as presented.

**CARRIED:**

**C. BYLAW 008-10**

*Pursuant to the provisions of Section 692 of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto, the Council of the Town of Chestermere is considering Bylaw 008-10 being a Bylaw to add the definition for "Residential Sales Centre", and amend Bylaw 2006/800/8 to add it as a discretionary use in a Direct Control Residential Multi-Unit District DC(R-3).*

Alan Boucher, Planning Staff, presented the information regarding Bylaw 008-10 Public Hearing & Second Reading to Amend Land Use Bylaw 99-600 - To add the definition for “Residential Sales Centre”, and amend Bylaw 2006/800/8 to add it as a discretionary use in Direct Control Residential Multi-Unit District DC(R-3).

Applicant, Shelly McIntosh, Freedom Planning, 10 Big Springs Rise SE, Airdrie, Alberta and landowner Mattamy (Lakeview) Limited, 121, 2723 – 37th Ave NE, Calgary, Alberta T1Y 5R8.

Project location 400 West Park Drive, Westmere Stage 6 Outline Plan Area. The existing LUB designation is Direct Control Residential Multi-Unit District DC(R-3).

The applicant seeks a motion from Town Council to grant Second Reading to amend Land Use Bylaw 99-600 (LUB 99-600), as amended, to add the definition for “Residential Sales Centre” and Bylaw 2006-800/8, as amended to include it as a discretionary use in Direct Control Residential Multi-Unit District DC(R-3).

Applicable regulations being Sections 7, 184, 187, 189, 213, 230, 606, 636, 637, 638, and 692 of the Municipal Government Act (MGA), the Town of Chestermere’s LUB 99-600, as amended, the Chestermere Municipal Development Plan (Chestermere MDP), and the Westmere Stage 6 Outline Plan (WOP6).

Bylaw 2006/600-8 designated the DC(R-3) lands in the WOP6, which was granted Third Reading on July 20th 2009. First Reading of Bylaw 008-10 was approved on May 17th 2010.

There is no time frame in which Council is required to act on a Land Use Bylaw Amendment request within the Municipal Government Act. However, any bylaw requires three (3) separate readings by Council under Section 187 of the MGA, and a Public Hearing must be held by Council prior to Second Reading of the proposed bylaw under Section 692 of the MGA.

Section 188 of the MGA states that once First Reading is granted, the applicant must apply for Third Reading within two (2) years.

The applicant is requesting this amendment to allow for the construction of a residential sales centre on a DC(R-3) site. The applicant is proposing to define “Residential Sales Centre” as:

“means a structure located within a residential district for the purpose of new residential sales to the public that is not required

to be serviced by Town sewage and/or water supply systems and is to be removed/relocated after a specified period of time”

The rationale for proposing this discretionary use is to allow the developer a different way to present and sell their future community. Traditional home sales have been based out of the garage of show homes and are targeted at selling a particular builder’s product. Unlike conventional residential developers, Mattamy Homes is a fully integrated developer/builder, with a focus on creating and selling a complete community. As such, the Residential Sales Centre is more appropriate than typical show homes for providing clients with a complete overview of the entire community to be housed on site. The temporary structure is designed to appear permanent and as a natural part of the community. When the community matures, the Sales Centre will be removed so new homes can be built in its place. It is suggested that the building be moved to MR land, closer to the Trans-Canada Highway for high visibility reasons.

During First Reading, Council requested additional photographs of existing Mattamy Sales Centres to gain a better understanding of the exterior finish and architectural details of the structures. While this will be dealt with comprehensively at the Development Permit stage, Exhibit “C” contains several photos in this regard. Colour photos were sent to Council members via email on June 11th, 2010.

In conversations with the applicant staff confirmed that they are intending to build the light house model similar to the photos sent in the previously noted email to Council.

Planning is in full support of this proposal. At the same time, staff would like to convey that informal discussions with Council and administration have indicated that there is a desire to explore the opportunity of making the structure more permanent in the community. In particular, the conversion of the Sales Centre to community space once the neighbourhood has been built out. This matter was discussed during First Reading of the Bylaw on May 17th, 2010. Based on these discussions, Mattamy Homes have indicated that they are exploring this matter internally. However, since this is a Land Use amendment, staff would like to comment that this matter is most appropriate to be dealt with at the Development Permit stage.

The proposed amendment is in line with the Municipal Development Plan (MDP). Allowing a sales centre supports a

private initiative which will enhance/showcase the character and community identity of the neighbourhood as a whole. This will help to achieve the Town's goal of building family-oriented and small-town character communities with a distinctive sense of place (Section 2.1.2). As an aside, exploring the possibility of converting the Sales Centre to community space supports the MDP's goal of "creating visual landmarks and public/social areas that will contribute to the unique character of Chestermere and build pride for the community".

In regards to the Westmere Stage 6 Outline Plan, the application is consistent and in keeping with the policies of the document.

In accordance to Section 636(1) of the M.G.A, staff circulated adjacent landowners and Alberta Transportation. A correspondence from Alberta Transportation was received on May 27th, 2010 indicating to objection to the proposed Bylaw (Exhibit "D"). No other correspondence in support or opposition of the Bylaw was received.

The requirements of Section 606 (2) of the M.G.A were satisfied, with regards to the notification of the Public Hearing. A notice of the Public Hearing for Bylaw 008-10 was advertised in The Anchor on May 27th and June 3rd, 2010 respectively.

Staff recommends approval of Second Reading for Bylaw 008-10 as proposed and request that permission be granted for the Third and Final Reading of Bylaw 008-10 at this meeting.

Councillor Bergen requested clarification that the discussion this evening is only about the Land Use Bylaw and is that all Council is giving approval for tonight is that they (Mattamy) can put a sales center here, that it is not about sizes of buildings, details about appearance, etc. Staff confirmed yes, that is what this discussion is about. Councillor Bergen commented that the interest in retaining this building after its use as Mattamy's sales centre should be to minimize any cost to the town for future uses.

Councillor Johnson requested clarification regarding the development permit stage is where they (Mattamy) would submit sets of drawings, exact site, and that Council could still easily turn it down at that stage – staff confirmed that is true, as it is "Discretionary Use" so Council does have to power to turn down the request.

Councillor Hutchison requested the square footage of the

proposed building. The applicant will answer during that section of Public Hearing.

**D. IN FAVOUR**

**Jennifer Peddlesden, Chestermere**

Thinking of the future and what this building could be used for – possible museum site, visitor's centre part time or public use meeting room location. After meeting with Mayor Matthews and Audrey MacDonald, it was a general consensus that they probably cannot move the Yacht Club building so this building would be good for the future. A group of residents is looking into reforming a Chestermere Historical Society (CHS) group as a separate registered society in Alberta. They will be bringing ideas for the building as well as CHS forward to Council in the future.

**Shelley MacIntosh, Freedom Planning, 10 Big Springs Rise, SE, Airdrie, Alberta (Mattamy Homes)**

Confirmed that the square footage of the Sales Centre to be a minimum size of 1,000 square feet with a maximum being 1400 square feet.

**E. OPPOSED**

No one spoke in opposition.

**F. ADJOURNMENT**

**11.016.018  
244-10**

Moved by Councillor Reid that the Public Hearing adjourn at 7:14 p.m.

**CARRIED:**

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Mayor Patricia Matthews

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Terry Hurlbut, CAO